

1 [Counsel identified on signature page]

2
3
4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA
6
7 SAN FRANCISCO DIVISION

8 EOLAS TECHNOLOGIES
9 INCORPORATED,

10 Plaintiff,

11 v.

12 GOOGLE INC.,

13 Defendant.

Case No. 3:17-cv-01138-JST

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER EXTENDING
PAGE LIMITS FOR MOTION FOR
SUMMARY JUDGMENT AND
OPPOSITION/CROSS-MOTION**

14 EOLAS TECHNOLOGIES
15 INCORPORATED,

16 Plaintiff,

17 v.

18 AMAZON.COM, INC.,

19 Defendant.

Case No. 3:17-cv-03022-JST

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER EXTENDING
PAGE LIMITS FOR MOTION FOR
SUMMARY JUDGMENT AND
OPPOSITION/CROSS-MOTION**

20 EOLAS TECHNOLOGIES
21 INCORPORATED,

22 Plaintiff,

23 v.

24 WAL-MART STORES, INC.,

25 Defendant.

Case No. 3:17-cv-03023-JST

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER EXTENDING
PAGE LIMITS FOR MOTION FOR
SUMMARY JUDGMENT AND
OPPOSITION/CROSS-MOTION**

26
27
28
JOINT STIPULATION AND ~~PROPOSED~~ ORDER
EXTENDING PAGE LIMITS FOR MOTION FOR SUMMARY
JUDGMENT AND OPPOSITION/CROSS-MOTION

1 Pursuant to Civil Local Rule 7-11, Plaintiff Eolas Technologies Incorporated (“Eolas”) and
2 Defendants Google Inc. (“Google”), Amazon.com, Inc. (“Amazon”), and Wal-Mart Stores, Inc.
3 (“Walmart”) (collectively, “Defendants”), by and through their respective attorneys, hereby
4 submit the following Joint Stipulation, as follows:

5 WHEREAS, on August 8, 2017, the Court entered an Order Regarding August 2, 2017
6 Case Management Conference (Dkt. 92) authorizing Defendants to file an early motion for
7 summary judgment that would not count against the “one summary judgment motion” under the
8 Court’s Standing Order for All Civil Cases Before District Judge Jon S. Tigar.

9 WHEREAS, the Court’s August 8, 2017 Order also authorizes Eolas to cross-move on the
10 issues raised in Defendants motion at the time of its opposition;

11 WHEREAS, under Civil Local Rule 7-2, such Motion and Opposition would ordinarily be
12 limited to twenty-five pages each;

13 WHEREAS, the parties have conferred and agree that given the complexity of the issues
14 and that fact that each brief must address the relevant facts for each of the three Defendants
15 however, an additional five pages is warranted;

16 WHEREAS, the parties respectfully request that the Court extend the page limits for
17 Defendants’ Motion for Summary Judgment and Eolas’s Opposition (and combined cross-motion,
18 if appropriate) to thirty pages;

19 NOW THEREFORE IT IS HEREBY STIPULATED AND THE PARTIES JOINTLY
20 REQUEST that the Court extend the page limits for Defendants’ Motion for Summary Judgment
21 and Eolas’s Opposition (and combined cross-motion, if appropriate) to thirty pages.

1 DATED: September 11, 2017

Respectfully submitted,

2 By /s/ James E. Quigley

3 Stephanie Adams Ryan, SBN 289548
4 MCKOOL SMITH, P.C.
5 255 Shoreline Drive, Suite 510
6 Redwood Shores, California 94065
7 Tel: (650) 394-1400; Fax: (650) 394-1422
8 sadamsryan@mckoolsmith.com

9 John B. Campbell, TX SBN 24036314
10 (admitted *Pro Hac Vice*)
11 Kevin Burgess, TX SBN 24006927
12 (admitted *Pro Hac Vice*)
13 Craig N. Tolliver, TX SBN 24028049
14 (admitted *Pro Hac Vice*)
15 James E. Quigley, TX SBN 24075810
16 (admitted *Pro Hac Vice*)
17 MCKOOL SMITH, P.C.
18 300 West 6th Street, Suite 1700
19 Austin, Texas 78701
20 Telephone: (512) 692-8700
21 Facsimile: (512) 692-8744
22 kburgess@mckoolsmith.com
23 jcampbell@mckoolsmith.com
24 ctolliver@mckoolsmith.com
25 jqigley@mckoolsmith.com

Attorneys for Plaintiff Eolas Technologies Incorporated

26 By /s David A. Perlson

27 QUINN EMANUEL URQUHART & SULLIVAN, LLP
28 Charles K. Verhoeven (CA Bar No. 170151)
David A. Perlson (CA Bar No. 209502)
Carl G. Anderson (CA Bar No. 239927)
Michael D. Powell (CA Bar No. 202850)
Lindsay M. Cooper (CA Bar No. 287125)
Felipe Corredor (CA Bar No. 295692)
qe-eolas@quinnemanuel.com
50 California Street, 22nd Floor
San Francisco, CA 94111
Telephone: 415-875-6600
Facsimile: 415-875-6700

QUINN EMANUEL URQUHART & SULLIVAN, LLP
Miles Freeman (CA Bar No. 299302)
qe-eolas@quinnemanuel.com
865 S. Figueroa St., 10th Floor
Los Angeles, CA 90017
Telephone: 213-443-3000
Fax: 213-443-3100

Attorneys for Defendant Google Inc.

By /s/ Richard G. Frenkel

DOUGLAS E. LUMISH, Bar No. 183863

doug.lumish@lw.com

RICHARD G. FRENKEL, Bar No. 204133

rick.frenkel@lw.com

JEFFREY G. HOMRIG, Bar No. 215890

jeff.homrig@lw.com

NICHOLAS YU, Bar No. 298768

nicholas.yu@latham.com

LATHAM & WATKINS LLP

140 Scott Drive

Menlo Park, CA 94025

Telephone: (650) 328-4600

Facsimile: (650) 463-2600

JOSEPH H. LEE, Bar No. 248046

joseph.lee@lw.com

LATHAM & WATKINS LLP

650 Town Center Drive, 20th Floor

Costa Mesa, CA 92626-1925

Telephone: (714) 540-1235

Facsimile: (714) 755-8290

AMIT MAKKER, Bar No. 280747

amit.makker@lw.com

LATHAM & WATKINS LLP

505 Montgomery Street, Suite 2000

San Francisco, CA 94111-6538

Telephone: (415) 395-8034

Facsimile: (415) 395-8095

MELISSA ARBUS SHERRY (pro hac vice)

melissa.sherry@lw.com

ELANA NIGHTINGALE DAWSON (pro hac vice)

elana.nightingaledawson@lw.com

LATHAM & WATKINS LLP

555 Eleventh Street, Suite 1000

Washington, DC 20004-1304

Telephone: (202) 637-2200

Facsimile: (202) 637-2201

JENNIFER H. DOAN (pro hac vice)

jdoan@haltomdoan.com

JOSHUA R. THANE (pro hac vice)

jthane@haltomdoan.com

J. RANDY ROESER (pro hac vice)

rroeser@haltomdoan.com

HALTOM & DOAN

6500 Summerhill Road, Suite 1000

Texarkana, TX 75503

Telephone: (903) 255-1000

Facsimile: (903) 255-0800

GRANT KINSEL, Bar No. 172407
gkinsel@perkinscoie.com
PERKINS COIE, LLP
1203 3rd Street, 39th Floor
Seattle, WA 98112
Telephone: (206)-395-316
Facsimile: (206) 359-9000

Counsel for Defendant Amazon.com, Inc.

By /s/ Bijail V. Vakil
Bijal V. Vakil (SBN 192878)
Shamita D. Etienne-Cummings (SBN 202090)
Eric E. Lancaster (SBN 244449)
Allen W. Wang (SBN 278953)
WHITE & CASE LLP
3000 El Camino Real
Five Palo Alto Square, 9th Floor
Palo Alto, CA 94306
Telephone: (650) 213-0300
Facsimile: (650) 213-8158
bvakil@whitecase.com
setienne@whitecase.com
eric.lancaster@whitecase.com
allen.wang@whitecase.com

John R. Keville (admitted *Pro Hac Vice*)
Eric S. Schlichter (admitted *Pro Hac Vice*)
Robert L. Green (admitted *Pro Hac Vice*)
WINSTON & STRAWN LLP
1111 Louisiana Street, 25th Floor
Houston, TX 77002-5242
Telephone: (713) 651-2600
Facsimile: (713) 651-2700
jkeville@winston.com
eschlichter@winston.com
rlgreen@winston.com

Attorneys for Defendant Wal-Mart Stores, Inc.

ATTESTATION

I, Bijal V. Vakil, am the ECF user whose user ID and password authorized the filing of this document. Under Civil L.R. 5-1(i)(3), I attest that all signatories to this document have concurred in this filing.

DATED: September 11, 2017

/s/ Bijal V. Vakil
Bijal V. Vakil


~~PROPOSED~~ ORDER

Plaintiff Eolas Technologies Incorporated and Defendants Google Inc. ("Google"), Amazon.com, Inc. ("Amazon"), and Wal-Mart Stores, Inc. ("Walmart") (collectively, "Defendants") have stipulated to extend the page limits for Defendants' Motion for Summary Judgment and Eolas's Opposition (and, if applicable, Cross-Motion) to thirty (30) pages.

The parties' joint stipulation is GRANTED. The page limit for Defendants' Motion for Summary Judgment is extended to thirty (30) pages. The page limit for Eolas's Opposition (and, if applicable, Cross-Motion) is also extended to thirty (30) pages.

PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED.

DATED: September 11, 2017


Honorable Jon S. Tigar
United States District Judge